

REMARKS

The claims in the application are 1-16, 21, 22 and 24.

Favorable reconsideration of the application as amended is respectfully requested.

The present amendment is being made in accordance with a telephone interview between the Examiner in charge of the above-identified application at the Patent and Trademark Office and undersigned attorney on Thursday, June 21, 2007. The courtesy extended by the Examiner in arranging for and conducting the telephone interview, is greatly appreciated.

The specification has been amended to eliminate the drawings objection raised in paragraph 2 of the Final Office Action, in accordance with agreement during the telephone interview. Additionally, the claims have been amended to eliminate the rejection under 35 U.S.C. §112, second paragraph and objections raised in paragraphs 4-6 of the Final Office Action.

More specifically, independent Claim 1 has been amended as agreed during the telephone interview. This amendment to independent Claim 1 finds clear support throughout the present application and drawings (recitation from dependent Claim 23, which has been canceled without prejudice, has been incorporated into Claim 1).

Accordingly, the only outstanding issue is the prior art rejection of the claims.

Claims 1-6, 10-16 and 21-24 have been rejected under 35 U.S.C. §102 as being anticipated by DE 9204845 or U.S. Pat. No. 5,580,139 to Grabher in paragraphs 8 and 9 of the Final Office Action, while Claims 7-9 have been rejected under 35 U.S.C. §103

as obvious over Grabher in view of DE 20211803 to Salice in paragraph 12 of the Final Office Action. However, as explained during the telephone interview, it is respectfully submitted all pending claims herein define patentable subject matter over the applied art, for the following reasons (reference will be made to preferred embodiments of the present invention illustrated in the drawings of the present application).

It is respectfully reiterated the present invention explicitly improves connecting a draw-out rail 5 to a drawer over DE 92 04 845 where relatively little force can uncouple the rail 5 from the drawer, e.g., if the drawer is heavily filled. At the same time, unlocking of the rail 5 from the drawer is facilitated because need for long levers or rods transmitting unlocking force has been eliminated; such long levers or rods could be easily bent, e.g., by a top-heavy drawer, and thereby impede both unlocking and re-insertion of the drawer into locking connection.

As recited in independent Claim 1, the present invention is directed to a device for connecting a draw-out rail 5 of a drawer guide 5,6 to a drawer and comprises an installation fitting 10 having a catch 11 swivelled against spring force and interlockable with the rail 5. A two-armed lever 13 releases the catch 11 from interlocking the rail 5 and is pivotally held on the installation fitting 10 at a connection point 28, 29.

More particularly, the two-armed lever 13 has two arms 30, 32 extending oppositely away from the connection point 28, 29, with one arm 32 shaped as a handle 33 for releasing interlocking position of the catch 11 and rail 5, and the other arm 30 engaging the locking catch 11 or a force transmission element connected to the locking catch 11 in a region of the locking catch 11. The catch 11 is fixedly attached to the

installation fitting 10 at a separate location from the connection point 28, 29 upon which the two-armed lever 13 is pivotally mounted. Furthermore, the distal end of the handle 33 of the two-armed lever 13 is disposed at a distance from the locking catch 11 greater than distance of the catch 11 from the connection point 28, 29 on the installation fitting 10.

The features of the presently claimed invention together with the accompanying advantages attained thereby are neither disclosed nor suggested by the applied art, for the following reasons.

As pointed out during the telephone interview, in Fig. 4a of DE 9204845, handle 11 is disposed adjacent hook 40 and directly connected to hook 40 through resilient bending point 17 at an opposite end from the handle 11 and hook 40. In contrast, in the present invention, only hook 11 is resilient and is mounted separately from two-arm lever 13 (please see the amendment to independent Claim 1 herein incorporating recitation from Claim 23 which has been canceled without prejudice).

Furthermore, in Grabher handle 16 is connected to arm 15 at a point between the hook 14 and pivoting point 15a, unlike the present invention as recited in Claim 1 where the handle 33 is positioned on two-arm lever 13 on an opposite side of the pivot point 28, 29 from the point on the lever 13 (i.e., cam 31) engaging the hook 11 on web portion 22. Accordingly, independent Claim 1 has been amended to recite

(i) the two-arm lever 13 is pivotaly mounted upon the installation fitting 10 at a connection point 28, 29 situated between the two arms 30, 32 of the two-arm lever 13 extending oppositely away from the connection point 28, 29, and

(ii) the distal end of handle 33 on one 32 of the arms 32, 30 of the two-arm lever 13 is situated at a distance from the catch 11 greater than distance between the catch 11 and pivotal connection point 28, 29,

This distinguishes over the arrangements shown in DE 9204845 (where handle 11 is disposed adjacent hook 40 in Fig. 4a) and Grabher (where handle 16 is connected to arm 15 at a point between the hook 14 and pivoting point 15a). In particular, the claimed arrangement provides improved torque for uncoupling drawer and rail 5, over the arrangement shown in Grabher.

Salice adds nothing to DE 92 04 845 or Grabher which would render obvious the present invention recited in any claim. The remaining art of record has not been applied against the claims and will not be commented upon further at this time.

Accordingly, in view of the forgoing amendment, accompanying remarks and telephone interview in the above-identified application, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(a) is enclosed in triplicate, together with the requisite petition fee, RCE transmittal papers and RCE filing fee.

Early favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "George M. Kaplan", is written over a horizontal line.

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